

SERCARZ & RIOPELLE, LLP

950 THIRD AVENUE, 31st FLOOR
NEW YORK, NEW YORK 10022
(212) 586-4900
FACSIMILE (212) 586-1234
www.sercarzandriopelle.com

ROLAND G. RIOPELLE
MAURICE H. SERCARZ*

*ADMITTED IN NY & NJ

January 8, 2024

BY ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Markin, et al*, 22 CR 395
Seth Markin - Defendant

Your Honor:

I write to request that the Defendant's travel restrictions be modified to permit him to take two brief trips during the months of January and February 2024. I have informed the Government of this application and they have no objection to the requested modification.

Background

On July 21, 2022, the Defendant was named in the instant Indictment. The Indictment charges him with Conspiracy and substantive counts of Securities Fraud and Tender Offer Fraud based upon allegations that he misappropriated material non-public information relating to plans by Merck & Company, a publicly traded pharmaceutical company, to acquire Pandion Therapeutics, a publicly traded biotechnology company; and, that the Defendant purchased Pandion stock and encouraged others to do so based upon this information.

On or about July 25, 2022, the Defendant was arraigned to the instant Indictment. He was released on an unsecured bond of \$200,000, co-signed by the Defendant's parents. The Defendant's travel is limited to the Southern District of New York, the Eastern District of New York, the District of New Jersey, and the Eastern District of Pennsylvania, where the Defendant resides with his parents.

On December 4, 2023, the Defendant entered a plea of guilty to a single count of Securities Fraud pursuant to Title 15 U.S.C. §§ 78j(b) and 78ff; and Title 17 CFR § 240.10b-5 in full satisfaction of the Indictment.

The matter has been assigned to a Probation Officer for preparation of the Presentence Report. First disclosure is due on January 26, 2024. Second disclosure is scheduled for February 23, 2024. Sentencing is scheduled for March 26, 2024.

The Instant Request

The Defendant would like to travel to Winchester, Virginia from January 13 through January 15, 2024 in order to help his friend, Alessandra Grifitt, move from her current location to Herndon, Virginia.

The Defendant would also like to travel to Boca Raton, Florida from February 21 through February 24, 2024 for a yoga retreat.

The Defendant will supply full information regarding his travel and lodging to Pretrial Services in advance of the trip, and will conform to any additional reporting requirements that are proposed by Pretrial Services.

I have spoken to Janitza Gomez, the Pretrial Services Officer tasked with monitoring the Defendant's compliance with his bail conditions. She informs me that he has been fully compliant with the terms of his bail; and, that she will have no objection to the request herein.

Conclusion

For all the reasons set forth herein, we respectfully request that the Defendant be permitted to make the trips described above.

Most respectfully,

/s/ Maurice H. Sercarz

cc: All Parties (by ECF)

USPSC Janitza Gomez (by email)